MAYER FILES COMPLAINT IN SUIT AGAINST THE 49.

sks an Accounting and Restitution of Unlawful Profits From Safe Deposit Company Leases - Demands Also That Excessive Salar les Be Refunded.

The complaint in the suit brought by the Attorney-General on behalf of the people of New York State against the Equitable Life Assurance Society and the forty-nine men who comprised the society's board of directors under the old régime was filed yesterday in the Supreme Court of this

As told in THE SUN yesterday the purpose of the suit, which is brought under Section 1781 of the Code of Civil Procedure is to compel an accounting of the old directors' management of the policyholders' funds, to recover all moneys wasted by reason of the negligence of the defendants or through violation of their trust, to accomplish the removal of those directors who shall be found guilty of having profited through the use of the society's money and to enforce a distribution of the Equitable's

\$1,000,000 surplus.

The suit is based almost entirely upon the evidence brought out by the Superintendent of Insurance.

The defendants, the complaint alleges, have "negligently, improperly and im-providently" performed their obligations and "habitually and continuously done or caused or suffered to be done. wrongful, illegal and improper acts by reason whereof the defendant society has suffered great loss and damage and its funds, assets and property have been wasted and lost."

The Attorney-General asks first that the profits made by certain directors from the safe deposit lease transactions be restored to the policyholders and asks an ecounting to determine the amount. For a period of fifteen years down to comper, 1904, the complaint alleges.

the society expended in the case of the Mercantile Safe Deposit Company for alterations and improvements, an amount only 63,453.49 less than the total amount received by it for rents, which amount, it is alleged, was totally inadequate.

The complaint holds responsible James W. Alexander, president, and George L. Wilson third vice-president, who signed this lease on behalf of the society and the stockholders in the Mercantile Company who were directors in the Equitable-James H. Hyde, mes W. Alexander, William Alexander,

re E. Tarbell, Valentine P. Snyder, Jomes D. Jordan, Charles B. Alexander, Henry R. Winthrop, Alvin W. Krech and William M. McIntyre. These defendants, it is alleged, "acquired to themselves and transferred to others, in violation of their duty to said defendant society, a certain

profit and benefit."

The purchase of the Missouri Safe Deposit
Company stock by the Equitable Society
at \$250 for each \$100 par value of the stock company stock by the Equitable Society at \$250 for each \$100 par value of the stock is designated by the complaint as an improper, wasteful and improvident act on the part of the officers and directors. At the time when the purchase was made the company, it is alleged, had no assets except the good will of the business and the leases with the Equitable society, which the complaint also designates as wasteful and improvident. At the time of the purchase 1,410 shares out of a total of 2,000 were owned by James H. Hyde and nearly all of the remaining shares by other individual defendants in the present action.

The complaint asks for a restoration of the money lost to the policyholders in the advances by the society to its agents. These losns, it is alleged, were "large, excessive and unwarranted," the only security taken being notes by the agents backed by assignments of money which might become due to the agents in the future as renewal commissions, providing the persons holding the publicles did not forfeit them. The as-

due to the agents in the ruture as relevant commissions, providing the persons holding the policies did not forfeit them. The assignment of these loans by the society to its subsidiary trust companies so that the notes might be classed as assets of the contact is declared to be "wasteful and imclared to be

provident."

More than \$4,000,000 of these obligations were assigned to the Commerical Trust Company of Philadelphia, the society pay-Company of Philadelphia, the society paying 5 per cent. interest on the deposit placed to its credit, although it had a large sum of money in the same company for which it was receiving only 3 per cent. The complaint sets forth that these defendants were stockholders in the Commercial Trust Company: James H. Hyde, James W. Alexander, T. De Witt Cuyler and Henry R. Winthrop. These defendants are named as stockholders in the Equitable Trust Company which had \$1,500,000 of the agents. as stockholders in the Equitable Trust Company, which had \$1,500,000 of the agents' obligations: Hyde, J. W. Alexander, Tarbell, H. C. Deming, M. Hartley Dodge, Chauncey M. Depew, William Van Horne, C. B. Alexander, T. De Witt Cuyler, Samuel M. Inman, David H. Moffat, E. H. Harriman, George H. Squires, Bradish Johnson and Henry M. Alexander.

The complaint alleges that some of the advances have never been repaid and are

Henry M. Alexander.

The complaint alleges that some of the advances have never been repaid and are uncollectable. All of the above named defendants, it is alleged, acquired through the assignment of the agents' obligations to the trust companies "property properly belonging to the defendant society."

The merger of the Western National Bank of New York with the National Bank of the United States in 1902 is another transaction on account of which the Attorney-General seeks to recover money. The directors named as having been members of the governing board and stockholders in the Western National Bank are: James W. Alexander, Henry M. Alexander, C. Ledyard Blair, Chauncey M. Depew, Louis Fitzgerald, Valentine P. Snyder, George J. Gould, James H. Hyde, Brayton Ives and David H. Moffat.

The society held 12,000 shares of this stock, which before the merger had a market value of \$000 or \$625 a share. The complaint alleges thatthe Equitable's board of directors accepted \$70 in cash and \$140 in stock of the consolidated bank in exchange for each \$100 par value of the stock

ohange for each \$100 par value of the stock owned by the society, when the board could have obtained \$600 a share by accept-

could have obtained \$600 a share by accepting an alternative offer.

The plaintiff seeks also to have the money lost to the policyholders by the payment of excessive salaries restored. The list of salaries contained in the Hendricks report is reproduced in the complaint and it is set forth that all of the salaries, are "largely in excess of the sums for which the service rendered could have been obtained."

the service reintered count have seen tained."

The board of directors and officers, it is further alleged, have permitted the society to pay too many of its officers and directors and others "large and unwarranted sums as expenses incurred by such persons in the service of the defendant society, and said sums were paid without sufficient vouchers, without proof of their amounts and without it being properly shown that the said defendant society in any way benefited by such expenditures or was legally or properly chargeable therewith."

James H. Hyde's salaries from the Equipment of the said defendant society in the said defenda

James H. Hyde's salaries from the Equi-table's subsidiary companies, the Mer-cantile, Equitable and Commercial trust

James H. Hyde's salaries from the Equitable's subsidiary companies, the Mercentile, Equitable and Commercial trust companies, are classed as waste, as is also the money paid in excessive pensions.

The complaint contains a general allegation that wasteful legal fees were paid by the society, but denies specific knowledge of amounts paid to the persons who received them. Whether the annual retainer of 19,000 a year paid to Senator Depew is included is not stated. No direct reference is made to it in the complaint.

The complaint in its reference to the 365,000 loan, from which lobbying fees and other improper expenditures are supposed to have been made, is very indefinite. The State Banking Department now has a full record of the payments made on this loan account, as well as the name of the man who paid the loan and a complete history of the transaction. The fact that Attorney-General Mayer had apparently not had access to this data was commented on yesterday.

society; that if any advances were made to the society, or for its use, no account thereof appears upon the society's books and no return has been rendered to the society on account of such advances.

It is charged also that the \$250,000 loan to the Depew Improvement Company was made upon "grossly inade quate security," and the bidding in of the property at a foreclosure sale under the mortgage taken as security resulted in a "great waste and loss of the property of the society."

Another allegation in the complaint is that the directors and officers permitted the society to maintain excessive sums of money on deposit with the National Bank of Commerce, the Mercantile Trust Company, the Equitable Trust Company, the Equitable Trust Company, the Commercial Trust Company and at least nineteen other banks and trust companies, in some or all of which the individual defendants, or some of them, were stockholders. These sums, it is charged, were deposited at inadequate rates of interest.

The complaint charges the directors with having caused the society to mislead and deceive the policyholders in regard to this deposited money. It ought, the plaintiff avers, to have been put into more renumerative investments, but annually on Dec. 27 to 29 the society loaned approximately \$10,000,000 on collateral security, "which said loans have been regularly called in again on Jan. 3 to 5 following, and the funds redeposited in the depositories from which they had been temporarily withdrawn for this purpose."

The plaintiff seeks to recover also the money diverted from the policyholders in the reorganization of the Equitable Trust Company, when James H. Hyde and William M. McIntyre took the 1,670 shares of the 2,835 to which the Equitable society was entitled, and which represented a big loss to the society when the capital stock of the society was increased a little later from \$1,000,000 to \$3,000,000.

In regardo the society's surplus, the complaint alleges that a no time has the

ciety when the capital stock of the society was increased a little later from \$1,000,000

In regard to the society's surplus, the complaint alleges that at no time has the society, either as provided by the society's charter or as permitted by the insurance laws of New York State, credited or paid an equitable share of the net surplus to any of the policyholders.

"In violation and disregard of the said charter and law, the defendant society and its officers," says the complaint, "with the consent and approval of the board of directors, have been crediting and paying to the said policyholders, from time to time, only a portion of the net surplus earned and held by the society, the whole of which said net surplus the persons who, during said period, were policyholders of the defendant society are entitled to have credited or paid to them in equitable proportion."

The plaintiff further alleges:

"That the rules and regulations adopted by the defendant society and its officers, with the approval and consent of the society's directors, for the ascertainment of the equitable share of the surplus due to each policyolder, were and are incorrect, illegal and improper, and that of the surplus now held or purporting to be held by the defendant society, as shown by its statements, a sum approximating \$10,000,000 is held by the society, as shown by its statements, a sum approximating \$10,000,000 is held by the society and the individual defendants as officers and directors have represented, and in the reports of the Tax Commissioner of the city of New York have stated, that the entire surplus belonged to the policyholders.

"That the present policyholders of the defendant society are entitled to the whole of the present net surplus of the society, after deducting a sufficient sum to cover all outstanding risks and other obligations, in accordance with the charter, and are entitled to have an equitable share of said net surplus credited to or paid to each."

It was said yesterday that defendant E. H. Harriman had been serv

entitled to have an equitable share of said net surplus credited to or paid to each."

It was said yesterday that defendant E. H. Harriman had been served with a complaint in the action before he started West on his six months trip to Japan. When asked yesterday whether he intended to force Mr. Ferriman to take the witness stand, Attorie -General Mayer refused to give a direct answer.

give a direct answer.

Senator Depew attended a meeting of

Senator Depew attended a meeting of the Equitable executive committee yesterday afternoon. It was the first time he had been in the Equitable Building, since the evidence in the Hendricks testimony became public. The Senator announced that he had no present intention of resigning from the society's directorate.

"The rumor that I had resigned," said he, "arose from a misunderstanding in an interview that was cabled from Europe in which I said I had tendered my resignation as counsel. But I never said I had resigned as a director. When I reached the executive committee room to-day I hastened to assure President Morton that I had no expectation of resigning as a I had no expectation of resigning as a director or as a committeeman. I told him that as soon as I heard there was trouble I started right back to assume any responsibility that might fall on me.

There were reports yesterday that the negotiations for a settlement of the Depew Improvement Company loan had advanced favorably since the Senator's arrival on this side, but nobody interested would discuss this phase of the affair.

THE LIFE INSURANCE INQUIRY Senator Armstrong Says His Committee

Will Get to Work This Week. ALBANY, July 31.-Senator William W Armstrong, chairman of the joint legislative committee which is to investigate the conditions surrounding the life insur-

Armstrong, chairman of the joint legislative committee which is to investigate the conditions surrounding the life insurance business in this State, especially the financial management of the Equitable Life Assurance Society, is in Albany. Late this afternoon he had a talk at the executive chamber with Gov. Higgins and State Superintendent of Insurance Francis Hendricks, preparatory to the initial meeting of the committee in the Senate Judiciary Committee room here to-morrow morning at 11 o'clock.

"The full committee will select counsel," said Senator Armstrong to-night, "without any outside interference. Two or three lawyers undoubtedly will be needed to aid the committee, and a corps of expert accountants and examiners. We may be able to borrow some of the latter from State departments. In writing the members of the committee, announcing the date of meeting, I asked them to so arrange their personal affairs as to permit them to attend the meetings of the committee all of this week, both here and in New York.

"My idea is that the committee will remain in session this week until a complete plan of organization is provided, such as the selection of counsel and necessary stenographers and clerical help. Then a recess will be taken to permit counsel to familiarize themselves with the Hendricks report and testimony and the Frick report on the Equitable. This will enable counsel to better outline the work of the committee, which will not duplicate any portions of the Hendricks investigation which do not need elucidation. The committee, which will not duplicate any portions of Superintendent of Insurance Hendricks, Attorney Jerome. These three officials have signified their desire to cooperate with the committee, and District Attorney Jerome wrote me that he would be happy to meet the committee, and District Attorney Jerome wrote me that he would be happy to meet the committee any day this week in New York.

"The committee probably will hold several sessions in New York city this week and Will endeavor to get the u

Girl Drowned Near Richmond Village. Miss Emma MacKay, 12 years old, whose Miss Emma MacKay, 12 years old, whose home was in Yonkers, was drowned in Richmond Creek at the head of the Fresh Kills, back of Richmond village, Richmond, Sunday afternoon. Herman Daley, her escort, had a narrow escape from sharing her fate, and was only revived after long treatment. Miss MacKay's mother is dead and her father is in Europe. For some weeks she had been living with the father and mother of young Daley in Yonkers.

JOTTINGS ABOUT TOWN. A petition in bankrupter has been filed against Barnet H. Bernstein, importer of furs and skins at 47 East Ninth street, by Lesser Brez. for Morris Geanis of Dolgeville, a creditor for 3616. The liabilities are said to be about \$50,000, mostly due in London and Leinsle.

MURPHY SEES M'CARREN AGAIN

MAYOR HAD BROUGHT THEM TO-GETH R 3 WEEKS AGO.

Democratic City Committee Organized 1 ith James J. Martin Chairman - Hurphy and McCarren Head 4 emmittee to Prepare City Ticket State.

Charles F. Murphy and Senator Pat McCarren attended last night the meeting held in the Democratic Club of the new Democratic city committee. The club rooms were crowded, something unusual at this time of the year, the interest which drew the members together being apparently the meeting of Mr. Murphy and Mr. McCarren. Although many of the members seemed not to be aware of the fact, the two leaders were brought together nearly three weeks ago by Mayor McClellan and at that conference it was agreed that whatever personal differences they might have they would, as was told in THE SUN last week, sink them in the common purpose to work for the reelection of Mayor

At that conference Senator McCarren promised that all the influence he could wield would go to the support of Col. McClellan, and he asked in return only that the Comptrollership should go to Brooklyn, and that in the event of a Democratic success at the next election patronage should not be distributed in such a way as might tend to undermine his leadership of the Brooklyn organization. He received assurances on both points.

For fifteen or twenty minutes before the monthly act down to husiness last

the committee got down to business last night Murphy and McCarren sat in chaire drawn together in a corner of the room. When their conversation was over the committee was called to order. The mem-bers of the new committee are:

bers of the new committee are:

Manhattan and The Bronx—Charles F.
Murphy, George W. Plunkitt, James J. Martin, Louis F. Haffen and E. J. McGuire.

Kings—James Kane, John Morriesy Gray,
Senator McCarren, Conrad Rasenflug and
James S. Regan,
Queens—Borough President Cassidy, George
Wallace, George Creed, P. J. Mara and J. P.
Powers.

Powers.
Richmond—Edward M. Muller, John J. Renny, George W. Slake, Franklin C. Vitt and F. W. Owen.

Kenny, George W. Slake, Franklin O. Vitt and F. W. Owen.

Mr. Martin was chosen chairman of the committee. He held the same position two years ago when Mayor McCleilan was nominated. Mr. Muller and Thomas F. Smith were selected as secretaries.

A sub-committee comprising Messrs. McGuire, Regan; Creed, Vitt and Plunkitt was named to decide upon the place and date of the city convention. Another sub-committee, to which was estensibly allotted the work of completing all preliminary details of the convention, but which will determine upon the names for the subordinate places on the city and county tickets, was made up of Mr. Murphy, Senator McCarren, Borough President Cassidy of Queens, Borough President Cassidy of Queens, Borough President Cassidy of The Bronx and Mr. Muller of Richmond.

Upon the motion of Senator McCarren it was resolved that the basis of representation at the city convention should be one delegate for every 500 voters as registered for the 1904 election. This will mean that there will be nearly 700 delegates.

THEY WANT AN ACCOUNTING.

Receivers of Ubero Plantation Company Bring Suit Against Ferdinand E. Berges. BOSTON, July 81.-A bill in equity was brought in the Supreme Court to-day by the Ubero Plantation Company, at the instance of the receivers, H. W. Ogden and Jeremiah Smith, Jr., under authority of an order of Judge Lowell, against Ferdinand E. Borges and others, with a view to an accounting from Borges. The company was formed to develop land in Mexico, and various companies were incorporated, with the result that the moneys that were received from the sale of stocks and bonds went into the hands of a few men, it is alleged, instead of being devoted to the purpose of the corporation.

The company wants an accounting from

Borges, and asks to have him directed to pay the amount that may be found to be due. It is said that he benefited by fraudulent misappropriation of property of the company, and the receivers want him to account for the same.

The defendants named in the bill besides Borges are seventeen life insurance com-panies. The company seeks to prevent the panies. The company seeks to prevent the insurance people from paying anything to Borges on account of his contracts with them. He has, it is said, paid-up policies and other investments. The company wishes to reach his annuities and other interest in the policies.

SUSPECTED OF CHILD MURDER. Father Detained Pending Examination of the Stomach of His Daughter.

ISLAND POND, Vt.; July 31.-State's Attorney Amey announced to-day that he was making an official investigation of the circumstances connected with the sudden death of Lilla Waterman; the three-yearold daughter of Walter Waterman of Victory, this State. Robert Waterman; the father, has been detained, and while he is not imprisoned the State's Attorney has secured the appointment of a keeper for the suspected man. Mr. Amey has sent the stomach of the dead child to physicians, the stomach of the dead child to physicians, from whom he expects a report upon the question of the cause of death before the end of the week. A hearing in the case has been arranged for Friday before Trial Justice McGinniss.

The case was called to the attention of the State's Attorney on account of the suddenness of the child's death, as well as on account of the fact that three other children of Waterman died suddenly in the last

of Waterman died suddenly in the last two or three years, as well as his first and second wives. According to the informa-tion lodged with the State's Attorney Lilla Waterman died shortly after drinking a quantity of liquid which had been admin-istered by her father, and it is upon this allegation that the suspicion in the case

TELEGRAPH RIGHT OF WAY. New England Company Gets Restraining Order on a Novel Plea.

BOSTON, July 31.-Judge Dodge in the United States Circuit Court to-day issued a restraining order upon a bill brought by the New England Telegraph Company against the town of Essex forbidding the against the town of Essex forbidding the town from interfering with the company in placing its poles in the town. The town, the company alleges forbade, repairing of wires and poles which are important links in the line of telegraphic communication between Portsmouth, N. H., and European places, and of the greatest importance because it is the shortest route in view of the approaching pages conference between pproaching peace conference

The company asserts that it has a right to use the highways which are post roads and that the action of the Selectmen in refusing them permission to relocate their poles is illegal.

Burglars to East New York.

Burglars are giving the residents of the fashionable Arlington avenue section of East New York much concern. Among the latest to be visited by these intruders is Coleman Cohen, a brother-in-law of United States Apprasier Israel F. Fischer. Early States Apprasier Israel F. Fischer. Early yesterday morning they forced an entrance through a basement window of the Coleman residence, 81 Arlington avenue, and while the family were asleep leisurely ransacked the rooms. They carried off Mr. Cohen's gold watch, chain and diamond link cuff buttons. The residence of Mr. Fischer, which is immediately adjoining, was not disturbed.

BURGLARS AND SNEAK TRIEVES and dishonest acreants can be insured against by a policy of THE ABTNA INLIEMNITY CO. Particulars as William St. N. Y. Chr. 281. 420-John.

HORSE IN THE HALLWAY. Upset Two Baby Carriages and Hurt a

A bay horse attached to a painter's wagon owned by H. I. Kurlandisk of 412 Rookaway avenue, East New York, was left standing by its owner in front of 2078 Atlantic avenue yesterday, when a bolt of lightning frightened the horse. He ran away and got rid of the wagon when he hit tree. Free of this encumbrance, the animal found no difficulty in running into the ball of the tenement at 2086 Atlantic

avenue. Nine children were huddled together in the hall, two of them in baby carriages. When the horse dashed into the hall and found his way blocked by the carriages he tried to jump over them. He didn't jump quite high enough and one of his hind feet caught in one of the carriages, upsetting both and throwing the babies

The horse kept on through the hall out into the yard. All of the youngsters were more or less bruised and Dr. Batty of St. Mary's Hospital was called to attend them. None was seriously hurt.

The horse poked his head in the back hall door while their bruises were being dressed. From there he was driven to a woodshe d and corralled by his owner.

LAND FRAUD CASES.

Federal District Attorney Roasts Williamson and His Counsel.

PORTLAND, Ore., July 81.-United States District Attorney Heney bitterly arraigned Congressman Williamson and Gesner and Biggs in closing his argument for the proseoution in the land fraud cases this afternoon. He directly accused the attorneys for the defense of tampering with wit-

for the defense of tampering with witnesses, and a spirited dialogue followed
between him and Attorney Bennett, of
counsel for Williamson.

Heney declared that Miss Vanderpool,
after going to the theatre with Riggs and
after having been interviewed by Williamson and Attorney Bennett, could not, as a
witness for the Government, remember
important facts.

Ernest Starr, nephew of Williamson;
who ran away to escape testifying, appeared in court this morning. His testimony was of the "don't remember" sort.
This caused Heney to say that he was not
after the little fish; it was the big fish that
he purposed to convict. he purposed to convict.

COULD WE LICK GERMANY? Soldiers and Civilians Smell Powder in Argument Over It

A dozen or more artillerymen from Fort Schuyler and eight or ten citizens were drinking last night in the barroom of Krumsieck's Hotel, Main street and Westchester avenue, Westchester, when Fred Germany, one of the soldiers, and Michael Walters of West Chester, got into an argument about which would come out best in a fight, Germany or the United States. The argument got so warm that somebody threw a beer glass, and then it was rough and tumble and hit in the clinches all over the saw-

dust floor.

Henry Geseler, the bartender, grabbed a pistol and began shooting. A bullet hit William Costello of West Chester in the right foot. The police station is around the corner from the hotel and the reserves heard the shot. They hustled to the place and the party broke up forthwith.

All the artillerymen, save Germany, got away, but he was arrested with five West Chestrians and locked up. Gessler was charged with felonious assault.

WOMAN CHARGED WITH PERJURY Police Say Her Charge Against a Man

Led to a Desperate Fight. Mrs. Martha Tabbe was arrested in the First Criminal Court, Jersey City, yesterday on a charge of perjury. Policeman Tuite said the woman complained to him on Saturday night that John Kenny, 26 years old, of 178 Sixth steet had kicked her. The policeman had the fight of his life taking the man to the station house. He had to use his billy, and a physician was balled to put saveral attacks in

prisoner's scalp.

Mrs. Tabbs went to the station, four officers testified, and made a formal comomers testined, and made a formal com-plaint against Kenny. She promised to appear against him in court. She told Justice Higgins that she did not lodge any complaint and the police didn't have any business to say that she wanted to prose-cute the prisoner. She was held in \$200

CAR HITS AUTOMOBILE.

Collarbones of Two Women Broken in Smashup at Camden. PHILADELPHIA, July 31.—Returning from ong Branch in an automobile late last

ning, John R. Valentine, his wife and two friends were thrown out of the machine by being run into from behind by a trolley car at Fifteenth and Federal streets, Camcar at Fifteenth and Federal streets, Camden. The car struck the machine with such force that all four occupants were thrown some fifteen feet, landing on the pavement. All of the party were badly shaken up and bruised and were taken to the Cooper Hospital, Camden, where it was found that, in addition to severe bruises and lacerations, Mrs. Valentine was suffering from a broken collarbone. Benjamin Y. Chew and Miss Frances Roberts, the other occupants of the machine, were able to leave the hospital after having their injuries diressed. Miss Roberts sustained a fracture of her collarbone. ture of her collarbone.

HER ASHES, TOO, FOR THE SEA.

Mrs. Heath, Like Her Husband, Ordered Them Scattered on the Delaware. SCRANTON, Pa., July 31 .- A few months ago Dr. W. H. Heath of Scranton died, ago Dr. W. H. Heath of Scranton died, and in accordance with his request his body was cremated and the ashes thrown on the waters of the Delaware in order that they might continue on to the ocean. Mrs. Heath never recovered from the shock of his death and she died last week at a Scranton private hospital. After the funeral services yesterday the body was taken to Philadelphia for cremation. Her ashes, too, will be scattered on the surface of the Delaware.

Bemoved From Office by Gov. Higgins. ALBANY, July 31.-Gov. Higgins has renoved for misconduct and malfeasance in office Abram Sammons, the Republican superintendent of the poor of Ulster county. This is an elective office. In removing Sammons the Governor

In removing Sammons the Governor said:

"I do not find that Sammons was an intentional wrongdoer. His conception of his duties as a public official is aptly stated in his own words addressed to an inspector of the State Board of Charities at the county house about the 22d day of January, 1904, to the effect that he did not care for any member of the State Board of Charities or of the Board of Supervisors, as he had been elected by the people and was responsible to the people only. This primitive notion of the public official as an elective despot, making a law unto himself to guide his conduct, and relying on personal popularity to retain him in power, unfits Sammons for office and compels me to remove him."

Jerome and Herrick Arm in Arm. District Attorney Jerome and D-Cady Herrick went to the Herald Square Theatre last night and saw "The Rollicking Girl."
They did not go to the theater together,
but their seats adjoined and they did not seem to be surprised. They left arm in

Jersey City to Spend \$2,000,976 Next Year At yesterday afternoon's meeting of the Board of Finance of Jersey City the tax budget for the fiscal year beginning Dec. I next was adopted, fixing \$2,900,876.50 as the total appropriations for all der taxen's.



Strictly a Family Beverage



130.388.520 Bottles of Budweiser Consumed in 1904

More than three-fifths of this amount used in the homes. This fact marks the decline of strong alcoholic drinks, and is the greatest step in the direction of true temperance.

Anheuser-Busch Brewing Ass'n St. Louis, U. S. A.

Orders Promptly Filled by

Park & Tilford, Acker, Merrall & Condit Co.; O. Meyer & Co. Distributors, New York City, N. Y.



Corked or Tin Capped

Follow the Trail Lewis & Clark Blazed

To Portland, Oregon; Northern Pacific parallels it thru the new west, land of rest and recreation. See the tremendous development of the Puget Sound Country.

Two opportunities—the unique Lewis and Clark Exposition and the wenderful Yellowstone Park' en route. Cost was never less. Only a short trip to Alaska.

The North Coast Limited, "the comfort train," for those who love luxury on route. An endless scenic panerama, new and interesting sights every minute of the day.

ental trains daily between St. Paul and Minneapolis, and Seattle, Tacome and Portland. Through Northern Pacific - Burtington service between St. Louis and Kames City,

Booklets—Four cents for "Lewis and Clark 'B," six cents for "Wonderland" to A. M. Cleland, G. P. A., St. Paul, Minn. Information and Rates—W. F. Mershon, G. A. P. D., 319 Broadway, New York City.

TRACES OF MISS TUCKER.

apparel of Hers Found by the Roadside at Milton, N. H. MILTON, N. H., July 31.-It is believed

hat Miss Mary A. Tucker, the Providence school teacher and stepsister of President Faunce of Brown University, passed through Milton afoot last Thursday. Chief of Police Downs described to-day the movements of the young woman supposed to be Miss Tucker while in Milton and also told of the finding on Thursday night of a bundle of apparel which has since been identified, it is said, as belonging to Miss Tucker.

The bundle contained a shawl, three strips

ibbon and some writing paper. It was found by the roadside about half a mile north of Milton village. He sent the articles to Wolfboro on Friday and was informed yesterday that they had been identified by Mrs. Faunce as her daughter's. On Friday morning a young woman answering the same description was seen at North Rochester and there asked for food. After eating a lunch she started on toward Rochester. There her trail assems to have been lost. Owing ane started on toward Roonester. There her trail seems to have been lost. Owing to the distance between Wolfboro and Milton it is not thought that Miss Tucker walked all the way here if she left Camp Ossipee no earlier than Tuesday night, unless she is a woman of uncommon ability as a pedestrian.

BROKAW MAKES NEW RECOBD.

Drives His Auto From Narragansett Piet to Richfield Springs in Two Days. RICHFIELD SPRINGS, N. Y., July \$1 .- W. Gould Brokaw drove his new sixty horse ower Mercedes car into Richfield last evening from Narragansett Pier, having covered the 386 miles in two days. The record is a new one. The run to Providence was uneventful, but at Lee, Mass., the car startled the natives by speeding Jacob's Ladder without a whimper. This ascent is a well known embarrassment to tourists and the townsmen there have aked shekels galore from owners of light power cars. The Brokaw machine made a poor showing after reaching the New York State roads. From Albany the route was the Great Western turnpike, and while some stretches showed runs of sixty-five to

some stretches showed runs of sixty-nee to seventy miles an hour, the speed was often reduced to ten miles.

Mrs. James E. Martin, a sister of Mr. Brokaw, drove her 28-82 horse-power car from Albany. Mrs. Frank Ellis of Atlanta, Ga., accompanied Mrs. Martin. Thursday the party will drive to Saratoga for the races. Mr. Brokaw is entertaining Marquis Torre Hermond of Madrid during his stay on this side.

REV. DR. E. H. STOKES IN BRONZE. Statue of Ocean Grove Camp Meeting's

First President Is Unveiled. ASBURY PARK, N. J., July 31 .- In the camp meeting city this afternoon 10,000 Methodists turned out upon Ocean Pathway to witness the unveiling of Dr. E. H. Stokes in bronze. The statue is erected to commemorate the life work of Dr. Stokes, who was the first president of the associa-

Bishop Henry Spellmeyer delivered an Bishop Henry Spellmeyer delivered an eloquent address of eulogy.

"There is no possible contention as to where the statue of Dr. E. H. Stokes shall be set up," said the Bishop. "Here, for more than a quarter of a century, he did the very best work of his very busy life. Here he walked and worked, prayed and preached Here, on July 5, 1897, he was taken ill, and on Friday, July 16, 1897, in the evening, he crossed the bar and men and women said with sohe." He has been translated."

Arrest ed. Charged With Prizefighting.

Acting Captain Kennedy of the Adams street police station, Brooklyn, and his detectives yesterday arrested Edward Cran, 22 years old, of 55 Columbia street; Mike Tuttle, 26 years old, of 102 Front street; Daniel Buckley, 27 years old, of 56 Myrtle arm in avenue, and George Dooley, 24 years old, of 24 Middagh street, on the charge of participating in a prizefight over the salcon at Washington and Johnson streets on Saturday evening. Cran and Tuttle, it is said, were the principals. The salcon where the fight took place is opposite the Federal Building and only two blocks from the Adams street station.

PROFESSIONAL SMASHERS-UP. Two Men and a Women Indicted in

Baltimore. BALTIMORE, July 31 .- An alleged conspiracy to defraud the various railway empanies of the country has been unearthed by the police of this city, in confunction with the officials of the claims department of the United Railways and Electric Company, and as a result the grand jury to-day found indictments against three persons, one of whom has a suit for damages pending in the courts of this city. The persons named in the indictments are Martha Wiens, Morton Wiens, alias Frank Davis and Edward Riley, alias Edward Moran, who are in custody in the city of Buffalo, W. W. Where they were arrested a few of the railway express drivers, will be redays ago by Detective Atkinson of

city.

This afternoon Captain of Detectives A.

J. Humphrey and Capt. Gilbert of the
Union Railways Claims Department left
for Buffalo with the necessary papers to
bring the alleged conspirators back to
Baltimore.

The two men in the case, it is said, got

Baltimore.

The two men in the case, it is said, got jobs as motorman and conductor on the street railways in the various cities where they are are said to have operated, and in such capacity were always in a position to cause accidents in which the woman, as a passenger, feigned injury. They are said to have worked the game in various cities, and in Brooklyn, it is stated, a company

ALTA YOLO'S PHOTOS. Janitress of Breadway Apartment Accused

of Taking Them. Miss Alta Yolo, a singer, was the center of attention for a while in Jefferson Market police court yesterday afternoon, when she called upon Magistrate Wahle for a summons for Mrs. Barry, the janitress of the apartment house at 1147 Broadway. It appeared that a few weeks ago, while Miss Yolo was rearranging for the summer her apartment on the top floor, she placed in an adjoining flat a large collection of photographs. A few were family pictures. but the majority consisted of notables of the dramatic and operatic world, past and present. Many bore autographs, Jean de Resske, Mary Ande son, Jerome Sykes, Joseph Jefferson and a host of

others.

When Miss Yolo's maid Phose sought
the photographs they were gone. Mrs.
Barry said she had thrown them into the
ash can, not knowing to whom they belonged.
Magistrate Wahle will listen to both sides
Wednesday afternoon, the day for which
the summons is returnable.

MAN, ROBBED, KILLS HIMSELF. Less of His Week's Pay Drives Munsing Ballista to Suicide.

MOUNT VERNON, N. Y., July 31.-Having been robbed of his week's pay, Munsino Ballista of 56 South High street, this place, was found dead in the whirlpool of the Bronx River, south of the Oak street bridge, late this afternoon.

Ballista was one of the best known Italians in Mount Vernon. He was a power among his fellow countrymen, and t is said that he worked for a New York firm and made good wages.

After being paid Saturday afternoon he started for his home in this city, and when he got to Woodlawn he reached into his pocket and found he had been robbed.

The old man was discouraged, and it is said that he threatened to do away with himself.

Patrolman Silverstein found the old man and had his body removed to McDonald's morgue. Coroner Van Houten will hold an inquest to-morrow.

TORONTO, Ont., July 31:- The passenger steamer Argyle is on the rocks near Oshawa and probably will go to pieces. The 150 excursionists on board were taken off without difficulty. The Argyle is valued at

Marriage License Refused to Negro and White Woman.

LANCASTER, Pa., July 31.—A marriage license was to-day refused to a negro and a white Canadian woman. Benson, the negro, will take legal steps to compel the laste of a license.

CHICAGO EMPLOYERS RELENT. Will Take Back Some of the Teamsters Who Struck.

CHICAGO, July 31.—The curtain was rung down on the teamsters' strike to-day, and to-morrow it will be a closed incident with the employers. To-morrow morning all the lumber teamsters will return to work under the conditions imposed by the employers, and the police have been notified by the lumber dealers that their services

employed within the next two weeks. The police and deputy sheriffs will be kept by the department store managers for a few

days longer until matters are finally adjusted.

The action was taken by the employers at the close of a long conference to-night.

Lawn Tennis at Boston.

BOSTON, July 31.—Weather conditions were wretched for the opening play in the invitation lawn tennis tournament to-day at the Nahant Tennis Club, but seven matches were concluded.

A fine drizzle fell most of the time and a cross court gale bothered the players, except on the east court. The gallery, buried in steamer rugs and sweaters, was awake to some fairly good play, particularly in the match between A. Codman and H. J. Hoit. Codman got the first set easily, but had to work hard in the second, the fourth game of which went to vantage five times. Three of the matches required extra sets, Summary:

First Round—Kenneth Horton defeated R. T. Leonard, 6—1, 8—4; A. Codman defeated H. J. Holt. 6—4, 8—6. 6—6. 7—5; R. Bishop defeated J. C. Loveling, 4—6, 6—4, 7—5; R. Bishop defeated Norman Cabot. 6—3, 8—2; R. C. Scaver defeated S. Ware, 6—3, 6—2; C. Scaver defeated S. Ware, 6—3, 6—2; E. W. Leonard defeated T. Motley, Jr., 5—7, 6—4, 6—2; W. C. Grant defeated G. H. Nettleton by default.

How Bees Make Wax.

From Country Life in America.

When wax is needed a certain number of self-elected citizens gorge with honcy and hang up in chains or curtains each bee cling-ing by her front feet to the hind feet of the the above her, like Japanese acrobats, and here they remain, sometimes for two days, until the wax scales appear pushed out from

until the wax scales appear pushed out for every pocket.

It is not hard to understand that, since much honey is needed for the manufacture of wax, a bee after filling with the raw material would produce much more wax by keeping quiet than by using any of the gorge honey for energy in moving about and working. But the necessity of "holding hands" while this work goes on must ever remain to us another occult evidence of the close relations in the bee commune.

The Best Government for Children TO THE EDITOR OF THE SUN-Sir: The best results in school government have not been obtained by intimidation, but by appealing to the child's

sense of his own rights.

The best conducted schools I have ever seen were those in which a system of government was used called the "school city," in which order was preserved and discipline maintained through officers chosen by the pupils themselves. In a sense they were playing at government, but they were also learning the duties of citizenship and relieving the teacher of a responsibility that interferes lieving the teacher of a responsibility that interferes much with the work of teaching.

into the public school system of Cuba, during the American occupation of that island, by a realous Pa. I commend it to the teachers of New York. NEW YORK, July 28.

"SILVER PLATE THAT WEARS" **New Apartments**

In the furnishing of new apart-

ments, careful consideration should be given the selection of silver. **1847 ROGERS BROS**

Spoons, Forks, Knives, are stways handsome in design, and the trade mark guarantees the quality. In buying Cake Dishes, Coffee Ums, etc., ask tot the goods of

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